



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

ZIEGLER

Serial No.:

09/942,154

Filed:

August 29, 2001

Notice of

November 10, 2004

Allow. Date:

Due Date:

February 10, 2005

Title:

PROGRAM CONTROL FLOW CONDITIONED ON PRESENCE OF  
REQUESTED DATA IN CACHE MEMORY

Examiner: Choi, W.  
Group Art Unit: 2186  
Docket: 10001163-1  
(HPCO.016PA)  
Confirmation No.: 6815

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 21, 2004.

By:   
Rennae Johnson

MAIL STOP ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet containing Certificate of Mailing
- Please charge Deposit Account No. 08-2025 (10001163-1) the amount of \$1,703.00 (\$1406.00 for the Issue Fee, \$300.00 for the Publication Fee, and \$6.00 for patent copies).
- Part B-Issue Fee Transmittal
- Comments on Statement of Reasons for Allowance
- 2 Return Postcards
- If appropriate, charge Deposit Account No. 08-2025 (10001163-1) for any fee deficiency or overage.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers.

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St. Paul, MN 55120  
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By:   
Name: LeRoy D. Maunu  
Reg. No.: 35,274



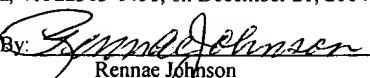
PATENT

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE  
c/o Technology Center 3600  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Examiner's statement for allowance could be construed to imply that the claimed invention was allowed because the reference of record did not disclose certain aspects of the client invention. The characterized aspects, however, if indeed found in the prior art, would not render the claimed invention invalid under §102 because the claimed invention includes a number of other limitations. With respect to §103, the rigors of establishing a *prima facie* case of obviousness include not only showing that the prior art teaches the entire claimed invention (all limitations are to be considered), but also that combining the various prior art references is suggested in the art or that there would be motivation to make the combination. The Reasons provided do not appear to be necessarily inconsistent herewith.

Unless Applicant hears otherwise, Applicant's comments herein are, as intended, clarifying in a manner consistent with the law.

Respectfully submitted,

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